

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

KELVIN J. MILES,

Civil No. 21-957 (JRT/LIB)

Petitioner,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATIONS**

UNITED STATES,

Respondent.

---

**Kelvin J. Miles**, 45410-007, Federal Medical Center, P.O. Box 4000, Rochester, MN 55903-4000, Petitioner.

Ana H Voss and Chad A. Blumenfield, **UNITED STATES ATTORNEY'S OFFICE**, 300 S 4th St Ste 600, Minneapolis, MN 55415, for Respondent.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY ORDERED** that:

1. The Petition for a Writ of Habeas Corpus of Petitioner Kelvin J. Miles, [ECF No. 1], is **DENIED without prejudice**;
2. This matter is **DISMISSED**;
3. Petitioner's application to proceed in forma pauperis, [ECF No. 2], is **DENIED as moot**; and
4. Petitioner's "Motion for a Procedural Response," [ECF No. 5], is **DENIED as moot**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: August 11, 2021  
at Minneapolis, Minnesota

s/John R. Tunheim

JOHN R. TUNHEIM

Chief Judge

United States District Court